

106TH CONGRESS
2D SESSION

S. 3192

To provide grants to law enforcement agencies to purchase firearms needed to perform law enforcement duties.

IN THE SENATE OF THE UNITED STATES

OCTOBER 12 (legislative day, SEPTEMBER 22), 2000

Mr. TORRICELLI introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide grants to law enforcement agencies to purchase firearms needed to perform law enforcement duties.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Police Gun Buyback
5 Assistance Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Buford Furrow, a white supremacist, used
9 a Glock pistol decommissioned and sold by a law en-
10 forcement agency in the State of Washington, to

1 shoot children at a Jewish community center in Los
2 Angeles and kill a postal worker.

3 (2) Twelve firearms were recently stolen during
4 shipment from the Miami-Dade Police Department
5 to Chicago, Illinois. Four of these firearms have
6 been traced to crimes in Chicago, Illinois, including
7 a shooting near a playground.

8 (3) In the past 9 years, decommissioned fire-
9 arms once used by law enforcement agencies have
10 been involved in more than 3,000 crimes, including
11 293 homicides, 301 assaults, and 279 drug-related
12 crimes.

13 (4) Many State and local law enforcement de-
14 partments also engage in the practice of reselling
15 firearms involved in the commission of a crime and
16 confiscated. Often these firearms are assault weap-
17 ons that were in circulation prior to the restrictions
18 imposed by the Violent Crime Control and Law En-
19 forcement Act of 1994.

20 (5) Law enforcement departments in the States
21 of New York and Georgia, the City of Chicago, and
22 other localities have adopted the practice of destroy-
23 ing decommissioned firearms.

24 (b) PURPOSE.—The purpose of this Act is to reduce
25 the number of firearms on the streets by assisting State

1 and local law enforcement agencies to eliminate the prac-
2 tice of transferring decommissioned firearms to any per-
3 son.

4 **SEC. 3. PROGRAM AUTHORIZED.**

5 (a) GRANTS.—The Attorney General may make
6 grants to States or units of local government—

7 (1) to assist States and units of local govern-
8 ment in purchasing new firearms without transfer-
9 ring decommissioned firearms to any person; and

10 (2) to destroy decommissioned firearms.

11 (b) ELIGIBILITY.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), to be eligible to receive a grant under this
14 Act, a State or unit of local government shall certify
15 that it has in effect a law or official policy that—

16 (A) eliminates the practice of transferring
17 any decommissioned firearm to any person; and

18 (B) provides for the destruction of a de-
19 commissioned firearm.

20 (2) EXCEPTION.—A State or unit of local gov-
21 ernment may transfer a decommissioned firearm to
22 another law enforcement agency.

23 (c) USE OF FUNDS.—A State or unit of local govern-
24 ment that receives a grant under this Act shall use such
25 grant only to purchase new firearms.

1 **SEC. 4. APPLICATIONS.**

2 (a) STATE APPLICATIONS.—To request a grant
3 under this Act, the chief executive of a State shall submit
4 an application, signed by the Attorney General of the
5 State requesting the grant, to the Attorney General in
6 such form and containing such information as the Attor-
7 ney General may reasonably require.

8 (b) LOCAL APPLICATIONS.—To request a grant
9 under this Act, the chief executive of a unit of local gov-
10 ernment shall submit an application, signed by the chief
11 law enforcement officer in the unit of local government
12 requesting the grant, to the Attorney General in such form
13 and containing such information as the Attorney General
14 may reasonably require.

15 **SEC. 5. REGULATIONS.**

16 Not later than 90 days after the date of enactment
17 of this Act, the Attorney General shall promulgate regula-
18 tions to implement this Act, which shall specify the infor-
19 mation that must be included and the requirements that
20 the States and units of local government must meet in
21 submitting applications for grants under this Act.

22 **SEC. 6. REPORTING.**

23 A State or unit of local government shall report to
24 the Attorney General not later than 2 years after funds
25 are received under this Act, regarding the implementation
26 of this Act. Such report shall include budget assurances

1 that any future purchase of a firearm by the law enforce-
2 ment agency will be possible without transferring a decom-
3 missioned firearm.

4 **SEC. 7. DEFINITION.**

5 For purposes of this Act—

6 (1) the term “firearm” has the same meaning
7 given such term in section 921(a)(3) of title 18,
8 United States Code;

9 (2) the term “decommissioned firearm” means
10 a firearm—

11 (A) no longer in service or use by a law en-
12 forcement agency; or

13 (B) involved in the commission of a crime
14 and confiscated and no longer needed for evi-
15 dentiary purposes; and

16 (3) the term “person” has the same meaning
17 given such term in section 1 of title 1 of the United
18 States Code.

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to carry out
21 this Act \$10,000,000 for each of the fiscal years 2001
22 through 2005.

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